

ESTTA Tracking number: **ESTTA471778**

Filing date: **05/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200616
Party	Defendant SIGGY MUSIC, INC.
Correspondence Address	JESSICA S RUTHERFORD GRIMES & BATTERSBY LLC 488 MAIN AVE, THIRD FLOOR NORWALK, CT 06851 UNITED STATES rutherford@gandb.com, grimes@gandb.com
Submission	Withdrawal of Counterclaim
Filer's Name	Jessica S. Rutherford
Filer's e-mail	rutherford@gandb.com
Signature	/jsr/
Date	05/10/2012
Attachments	Withdrawal of Petition to Cancel.pdf (2 pages)(70335 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

-----X		
UMG RECORDINGS, INC.,	:	
	:	
Petitioner/Opposer,	:	
	:	
-against-	:	
	:	
SIGGY MUSIC, INC.,	:	Opposition No. 91/200,616 (parent)
	:	Cancellation No. 92/053,622
	:	
Registrant/Applicant.	:	
-----X		

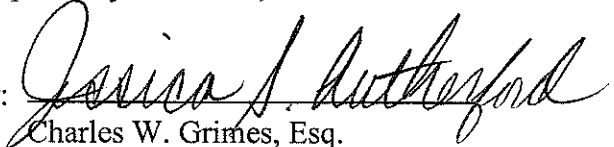
WITHDRAWAL OF COUNTERCLAIM WITH PREJUDICE AND WITHOUT COSTS

Registrant/Applicant, Siggy Music, Inc., hereby withdraws its counterclaim for fraud against Petitioner/Opposer, UMG Recordings, Inc., with prejudice and without costs.

The Board had suspended the proceedings pending disposition of Petitioner/Opposer's motion for judgment on the pleadings as to Registrant/Applicant's counterclaim for fraud. Inasmuch as this motion is now moot, Registrant/Applicant respectfully requests that the proceedings resume and that the Board issue a consolidated discovery and trial schedule for all remaining dates in accordance with Petitioner/Opposer's Motion on Consent to Consolidate Cancellation/Opposition Proceedings dated April 13, 2012.

Dated: May 10, 2012

Respectfully submitted,

By: 


Charles W. Grimes, Esq.
Jessica S. Rutherford, Esq.
Grimes & Battersby, LLC
488 Main Avenue
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Attorneys for Registrant/Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Registrant/Applicant's Withdrawal of Counterclaim With Prejudice and Without Costs was served on the Petitioner/Opposer's attorney on this 10th day of May 2012, by first class U.S. Mail, postage prepaid, to:

David Donahue, Esq.
Jason Jones, Esq.
Fross Zelnick Lehrman & Zissu P.C.
866 United Nations Plaza
New York, NY 10017


Jessica S. Rutherford, Esq.